

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

LEIKA DUMOND, on behalf of herself  
and all others similarly situated,

Plaintiff,

vs.

MERCEDES-BENZ USA, LLC, a  
Delaware Limited Liability Company;  
DAIMLER AG, a foreign corporation,

Defendants.

No. 2:19-cv-14723-MCA-LDW

**NOTICE OF MOTION OF  
DEFENDANTS MERCEDES-BENZ  
USA, LLC AND DAIMLER AG TO  
DISMISS PLAINTIFF'S  
COMPLAINT**

**MOTION DAY: November 18, 2019**

**ORAL ARGUMENT REQUESTED**

TO:

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COUNSEL:

PLEASE TAKE NOTICE that on November 18, 2019, the undersigned Defendants shall apply before the Honorable Madeline Arleo, United States District Judge, United States District Court for the District of New Jersey at United States District Court, M.L. King Federal Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order, dismissing with prejudice the Class Action Complaint for failing to state a claim for which relief can be granted, pursuant to Fed. R. Civ. P. 12(b)(6) and 9(b).

PLEASE TAKE FURTHER NOTICE that in support of this application, Defendants shall rely upon Mercedes-Benz USA, LLC and Daimler AG's Memorandum of Law in Support of their Motion to Dismiss Plaintiff's Complaint, Declaration of Eric F. Gladbach, and exhibits, as well as all of the pleadings herein.

PLEASE TAKE FURTHER NOTICE that Defendants request oral argument.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 7.1(e), proposed forms of the Orders are submitted herewith.

Dated: October 18, 2019

/s/ Eric F. Gladbach  
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